[RU] Part Four of Civil Code about to Be Adopted

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On 20 September 2006 the State Duma of the Russian Federation approved in the first reading the bill on Part Four of the Civil Code which relates to the regulation of different aspects of intellectual property. It passed the 2nd reading on 8 November 2006 and the 3rd reading on 24 November 2006.

The adoption of Part Four is regarded as the completion of codification of intellectual property legislation and civil legislation as a whole. The incorporation of the norms dealing with intellectual property in the Civil Code is justified by the traditions of the development of civil legislation in Russia. In the 1990s this tradition was neglected, and instead of a single codified act several statutes were enacted.

The new part of the Civil Code will serve several goals. Primarily, it aims at codification and consolidation of civil legislation. Next, the bill introduces new terms and constructions, which were unfamiliar to Russian legislation before, but are used in the international documents and directives of the European Union. Among the new concepts are know-how, brand names, domain names, etc. One of the most important tendencies of the new Act is the strengthening of the protection of rightsholders' interests. As extra guaranties of enforcement of rights the Bill contains norms concerning the responsibility of a tortfeasor. For example, the property of a wrongdoer can be confiscated and its business activity forbidden. Several provisions of the Bill are aimed at corrections of the disadvantages which existed in previous regulation of intellectual property issues, such as patents and collective administration of copyright and related rights. The Bill of the Part Four of the Civil Code was worked out not only in accordance with the national traditions of legislation in the sphere of intellectual property, but also in consideration of international obligations of the Russian Federation.

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http://www.duma.gov.ru/faces/lawsearch/gointer.jsp?c=323423-4

Bill of Part Four of the Civil Code

Пояснительная записка к законопроекту

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Explanatory Memorandum to the Bill of Part Four of the Civil Code of the Russian Federation

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